

Estes Valley

Separate Lot Determinations

Revision Date: January 2013

OVERVIEW

Since 1972, Colorado state law has required formal subdivision approval by local jurisdictions.

This means land subdivision is reviewed and approved by either the Town Board of the Board of County Commissioners, with public hearings to ensure neighborhood input and compliance with standards such as streets and utility services.

Land that is subdivided without this review process is not considered legal, and building permits will not be issued.

However, many properties within the Estes Valley were divided before adoption of review procedures. These are considered legal buildable lots, and permits will be issued.

The purpose of this review process is to determine if lots were legally subdivided.

WHAT ARE THE REVIEW STANDARDS?

Standards for review are outlined in Section 3.14.C of the Estes Valley Development Code (EVDC).

These include such factors as shape, size and character of the parcel, historic use, and historic ownership patterns.

The longer ago the property was divided, the higher the likelihood it is a legal lot.

WHAT IS THE REVIEW PROCESS?

Staff will review the application according to the standards in Section 3.14.C, consult with the Town or County Attorneys and other staff as necessary, and make a final determination as to whether the individual parcel in question is a lot.

Appeals from the Staff determination are made to the respective Boards.

HOW MUCH WILL THIS COST?

Filing fee is \$100 (no fee in unincorporated valley).

Separate Lot Determinations require a complete title search of the subject property.

In some instances, additional title research is necessary. For example, if deed research references another parcel, a title search on that property may be required. This can add time to the review process.

HOW LONG WILL THIS TAKE?

Each determination is different. Some require very little research, while others require several hours to decipher.

The EVDC allows up to 30 days from submittal of a complete application. However, with the understanding these questions arise in association with real estate transactions or appraisals, Staff strives to process these requests as soon as possible.

DOCUMENTATION

Staff will provide you with a formal letter of determination. Such determination will be filed in the official record of separate lot determinations maintained in the Community Development Department.

Staff also notifies the Larimer County Assessor's office. This may affect your property taxes.

Note: This information was summarized from EVDC Section 7.14 *Separate Lot Determinations*. These regulations can be accessed online at www.estes.org